In re Patent Application of:

AGEHARI, M.

Serial No.: 09/540,289

Filed: March 31, 2000

MULTI-RATE TRANSMISSION APPARATUS

AUG 0 9 200

Our Ref.: P/2041-47

Date: August 6, 2001

Group Art Unit: 2743

Examiner: --

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Technology Center 2600

**Assistant Commissioner of Patents** Washington, D.C. 20231

## **SUBMISSION**

Sir:

For:

☒	Submitted herewith is a copy of art together with an art listing form listing the same for the convenience of the Examiner.
	The document(s) listed on the attached art listing form was/were cited in a Search Report issued by a foreign patent office in a related application. A copy of the Search Report (in the English language) is attached hereto for the Examiner's reference.
×	The Japanese Publication(s) listed on the attached art listing form was/were cited in a Japanese Office Action issued in a related application. A copy of the Japanese Office Action and an English-language translation of the relevant portions are also attached. SEE ENGLISH-TRANSLATION FOR NON-ENGLISH-LANGUAGE DOCUMENTS.
	This submission is being made after the issuance of a first Office Action and three months after the application filing date. Thus a Certification Under 37 C.F.R. §1.97(e) is set forth below.
×	I hereby certify that each item of information contained in this Submission was cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this Submission (37 C.F.R. §1.97(e)).
	This submission is being made after the issuance of the first Office Action and without a certification. The fee of \$180.00 under 37 C.F.R. §1.17(p) is attached.
	This submission is being made after the issuance of a final rejection or a Notice of Allowance but prior to the payment of the issue fee. Applicant(s) hereby attach the fee of \$180.00 under 37 C.F.R. §1.17(I). A certification under 37 C.F.R. §1.97(e) is set forth above.

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first-class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231-9999, on August 6, 2001:

Steven I. Weisburd Name of applicant, assignee or Registered Representative

> Signature August 6, 2001 Date of Signature

Respectfully submitted,

Steven I. Weisburd

Registration No.: 27,409

OSTROLENK, FABER, GERB & SOFFEN, LLP

1180 Avenue of the Americas New York, New York 10036-8403

Telephone: (212) 382-0700

SIW:sks

#### TED STATES PATENT AND TRAIMARK OFFICE IN THE U

In re Patent Application of:

AGEHAM, M.

Serial No.: 09/540,289

Filed: March 31, 2000

For: MULTI-RATE TRANSMISSION APPARATUS

**Assistant Commissioner of Patents** Washington, D.C. 20231

Our Ref.: P/2041-47

Date: August 7, 2001

Group Art Unit: 2743

Examiner: --

Technology Center 2600

**SUBMISSION** 

Sir:

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	The document(s) listed on the attached art listing form was/were cited in a Search Report issued JUNE 22, 2001 by a foreign patent office in a related application. A copy of the Search Report is not enclosed as the references cited are in the English language.
	The Japanese Publication(s) listed on the attached art listing form was/were cited in a Japanese Office Action issued in a related application. A copy of the Japanese Office Action and an English-language translation of the relevant portions are also attached. SEE ENGLISH-TRANSLATION FOR NON-ENGLISH-LANGUAGE DOCUMENTS.
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Steven I. Weisburd Name of applicant, assignee or Registered Representative

> Signature August 7, 2001 Date of Signature

SIW:sks

Respectfully submitted,

Steven I. Weisburd

Registration No.: 27,409

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Telephone: (212) 382-0700

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APPLICANT'S ART CITATION								Applicant AGEHARI, M.							
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Note:

With regard to the inventions pertaining to Claim 1 through 4:

Publication 1: Official Publication of Toku Kai Hei 3-289822

Publication 2: Official Publication of Toku Kai Hei 6-104942

Publication 3: Official Publication of Toku Kai Hei 6-332668

Publication 4: Official Publication of Toku Kai Hei 9-135275

To arrive at the constitution of the inventions pertaining to Claim 1 through 4 on the basis of the Problematoibe Solved by the Invention in said Publication 1 and the technical items pertaining to the control at the time of changing the coding rate as described in said Publications 2 through 4 is recognized to be something which is easily conceivable by the people in the industry.

Record of the Result of a Survey on Prior Technical Literature.

Fields Covered in the Survey:

IPC Seventh Edition H 03 M 13/00 through 13/53

DB Names

Prior Technical Literature:

Official Publication of Toku Kai Hei 7-321673

Official Publication of Toku Kai Hei 2-298139

This record of the result of a survey on prior technical literature does not constitute a reason for rejection.